

REMARKS/ARGUMENTS

Amendments to the Claims

Applicants have amended claims 3 and 5. The Markush groupings for Z^1 and Z^2 and Z^1-Z^4 , respectively, are amended to recite the group O. The species set forth in the structures of claims 3 and 5 are metal chelates. As appreciated by those of skill, the metal chelates set forth in claims 3 and 5 are formed by the interaction with the metal ion of one or more negatively charged carboxylate moiety on the chelating agent. This structural feature of metal chelates is well-known in the art. Moreover, the carboxylic acid moiety inherently suggests the disclosure of the corresponding carboxylate. Thus, claims 3 and 5 as filed inherently disclose carboxylates as well as carboxylic acids. Accordingly, the amendment to the claims merely clarifies and makes explicit this inherent disclosure and no new matter is added thereby.

Claim 3 is amended, changing "OR" to "OR¹" and "NR³R⁴" to "NR¹R²" to make these terms consistent with corresponding groups recited in claim 5. The amendment is fully supported; the amended groups are species for Z^1-Z^4 as set forth in claim 5. The amended groups in claim 3 correspond to Z^1 and Z^2 in this claim. No new matter is added by this amendment.

Claim 18 is amended to add punctuation to the end of the sentence.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Amendment to the Specification

Paragraph 0001 of the specification is amended to include updated application information.

Paragraph 0271 of the specification is amended to make the language of this paragraph, which corresponds to claim 3, consistent with the language of paragraph 0273, which corresponds to claim 5. For the reasons set forth above, the amendment is fully supported by the specification.

Appl. No. 10/631,258
Amdt. dated 5/6/2005
Reply to Restriction Requirement dated February 10, 2005

PATENT

Restriction Requirement

The Examiner has required restriction of the pending claims into five groups. Applicants elect the claims of Group V (claim 39) with traverse. Applicants further elect SEQ. NO. 13 within claim 39. The claims of Group V are now amended to be either directly or indirectly dependent upon claim 1, and recite a method of treating cancer by administering an antibody having the recited features to a subject. Each of the pending claims emerges from a common idea or concept. Accordingly, the applicants assert that the claims are properly rejoined and examined as a whole.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-442-1000.

Respectfully submitted,



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